



Department of General Services
Office of Procurement
707 Third Street, 2nd Floor
West Sacramento, CA 95605

**STATE OF CALIFORNIA
WESTERN STATES CONTRACTING
ALLIANCE (WSCA)
MASTER PRICE AGREEMENT
Supplement #5, Effective September 30, 2002**

CONTRACT NO.:	92-00151
CONTRACTOR:	DELL MARKETING L.P.
PRODUCTS:	COMPUTING SYSTEM PRODUCTS & SERVICES
CONTRACT TERM:	JULY 13, 2001 - SEPTEMBER 2, 2003
DISTRIBUTION LIST:	POSTED ELECTRONICALLY ON DGS/PD/WSCA INTERNET WEB PAGE

Department of General Services, Procurement Division
Contract Administrator:
Jennifer Herrera
707 3rd Street, 2nd Floor
West Sacramento, CA 95605
Phone: 916/375-4429
Fax: 916/375-4505
E-mail: jennifer.herrera@dgs.ca.gov

Diana LaBonte, Manager, Technology Acquisitions Section

WESTERN STATES CONTRACTING ALLIANCE (WSCA) MASTER PRICE AGREEMENT

I. INTRODUCTION

1. INTRODUCTION

The Western States Contracting Alliance (WSCA) Master Price Agreement is a result of a competitive bid. The purpose of it is to provide a purchasing vehicle for State and local government agencies, which is any city, county, district or other governmental body empowered to spend public funds per California Public Contract Code Section 12110. It gives these agencies an opportunity to acquire computing system products and services quickly and easily.

While the State of California makes this WSCA Master Price Agreement available to local governmental agencies, each local agency should make its own determination of whether using this WSCA Master Price Agreement is consistent with its procurement policies and regulations.

A copy of the actual WSCA Master Price Agreement is available on the Internet at: <http://www.state.nm.us/spd/wsca92151.html>. As well, the state of California Participating Addendum and the California General Provisions are available at <http://www.state.nm.us/spd/wscaCA.html>.

2. STATE OF CALIFORNIA, PROCUREMENT DIVISION, CONTACT

Department of General Services
Procurement Division
707 Third Street, 2nd Floor
West Sacramento, CA 95605

Jennifer Herrera
Phone: 916/375-4429
Fax: 916/375-4505
E-mail: jennifer.Herrera@dgs.ca.gov

3. DELL CONTACT

Dell
One Dell Way
Round Rock, Texas 78682
<http://www.dell.com/wsca>

Chuck Boorman
Chuck_Boorman@dell.com
(800) 274-7799 Ext.32983

4. AGREEMENT TERM

The agreement is effective through September 2, 2003 with one one-year optional renewal. In no event shall this agreement remain in effect beyond September 2, 2004.

II. ORDERING INFORMATION

A. PROCUREMENT GUIDELINES/RULES/APPROVALS/CERTIFICATION

1. GUIDELINES/RULES

- a. Ordering agencies must follow all applicable state mandated guidelines, e.g., State Administrative Manual, Management Memos, Agency Directives, California Acquisition Manual and California Codes.
- b. All state agencies must comply with all the applicable instructions and attachments of Management Memo 02-19 when ordering through this Agreement. This includes the requirement that the state agencies must submit a Notice of Contract Award to the DGS within five days of the award for orders over \$250,000.
- c. This Agreement does not waive the Department of Finance (DOF) approval requirements in accordance with the policies and procedures, as defined in Volumes I and II of the State Information Management Manual (SIMM).

2. CERTIFICATION

A signed certification of compliance with state information technology policies is required for all information technology procurements that cost \$10,000 or more and are in support of a development effort. Development is defined in SAM Section 4819.2 as “Activities or costs associated with the analysis, design, programming, staff training, data conversion, acquisition and implementation of new information technology activities.” Procurements of hardware, software and services (including interagency agreements) are included in this requirement.

A certification is not required for:

1. Procurements for less than \$10,000;
2. Procurements limited only to maintenance services;
3. Procurements in support of previously approved efforts. See SAM Section 4819.40;
4. Procurement of services to conduct a feasibility study, provided the services are limited to supporting or conducting the feasibility study and/or preparing the feasibility study report (SAM Sections 4927 and 4928); or
5. Procurements of/for excluded activities as described in SAM Section 4819.32.

*WESTERN STATES CONTRACTING ALLIANCE (WSCA)
USER GUIDE*

3. ORDER LIMITATIONS

Effective immediately, all orders are subject to Management Memo 02-19, dated August 20, 2002, where applicable. For all orders under this contract, the ordering agency is not required to obtain three quotes. Approval by the Department Director or immediate next ranking official is required for orders over \$250,000. For orders exceeding \$500,000, the ordering agency must notify the DGS prior to issuance of the purchase order.

4. DOLLAR THRESHHOLDS

For orders over \$500,000, the department must provide a memo to the DGS prior to the issuance of the purchase order. The DGS will review this information to validate that the department obtained best value for the state. The department documentation should include the following information:

- Identify the need for the goods and/or services and the dollar value of the impending purchase order.
- Explain how the department has determined that issuance of a purchase order to this particular contractor makes good business sense and how best value for the department has been achieved.

The DGS will review the submitted documentation. Upon agreement with the content, the DGS will issue a letter concurring with the department's recommendation, thereby allowing issuance of the purchase order by the department.

5. PRICING

All prices shall be F.O.B. destination. Pricing conforms to guaranteed price discount levels; contractor may change the price of any product or service at any time based upon list price changes.

Dell maintains their pricing on the Internet at <http://www.premier.dell.com/premier/welcome.asp>. From here click on "Purchasing Tools" on the left and then click on "California DGS WSCA". Dell's Equipment and Services Schedule (ESS), which refers to a complete list, grouped by major product categories of the equipment, software, services, media and documentation available for purchase by procuring agencies and containing an item number, item description and the maximum price for each product or service, may be viewed by individually clicking on it.

Agencies should contact the contractor, or authorized reseller, to see if there is a large quantity discount available. Additionally, educational discounts may be available for educational entities. Please contact the contractor for additional information.

6. SMALL BUSINESS CREDIT

Agencies can receive small business credit for utilizing a California certified small business service provider of Dell. Agencies need to check with Dell directly to request the name of the service provider and the dollar amount. Agencies must check with the contractor for the dollar amount they can claim for services performed – the entire purchase amount cannot be claimed.

- a. The pass through credit that a state agency can claim toward their preference Requirements is the total dollar amount of the award made to the Small Business or DVBE.
- b. The Contractor will provide a state agency with the following information at the time the order is quoted:
 - The Contractor will state that, as the prime contractor, it shall be responsible for the overall execution of the fulfillment of the order.
 - The Contractor will indicate to the state agency how the order meets the preference, as follows:
 - i. Name of the company that is certified by the Small Business Opportunity Program
 - ii. List the Small Business Certificate number and attach the Certificate
 - iii. List the DVBE Certificate number and attach the Certificate
 - iv. Indicate the total dollar amount of the order that can be applied for preferences purposes (when applicable, the total amount is calculated using the unit award dollar amount multiplied by the total quantity)
- c. Steps (i) through (iv) are repeated, if more than one Small Business or DVBE company is used.
- d. The state agency's Purchase Order must be addressed to the Prime Contractor, and the Purchase Order must reference the information provided by the Prime Contractor from the quotation as outlined above.

7. EXECUTING THE ORDER

The ordering agency defines the project scope to determine which goods and related services are needed, and checks the electronic catalog. Then the ordering agency completes a Form 65 (Contract/Delegation Purchase Order), including all pertinent information for each individual order issued against the Agreement, and sends the Form 65 to the selected Contractor. NOTE: CAL-Card (procurement card; i.e. visa) orders are also accepted.

As a hard copy catalog is not available, you must print a copy of the e-quote from your order and retain this in your files. It is not necessary to provide a copy of each page to DGS. Additionally, it is not the contractor's responsibility to provide this information to you.

*WESTERN STATES CONTRACTING ALLIANCE (WSCA)
USER GUIDE*

8. ON-LINE ORDERING

If your agency allows, you may order on-line by following the instructions on the Dell website. State agencies must still provide a copy of the ordering document to the address in paragraph 4 below. If using a CAL-Card, a copy of the on-line order acknowledgement must be sent in place of the ordering document. THE AGENCY BILLING CODE MUST BE INCLUDED ON EITHER DOCUMENT.

9. DISTRIBUTION

For state agencies, copies of the STD. 65 with original signatures, or if using the CAL-Card, copies of the order acknowledgement, must be sent to the Contractor, State Controller and Department of General Services, Procurement Division.

Department of General Services
Procurement Division
707 Third Street, 2nd Floor
West Sacramento, CA 95605
Attn: Contract Negotiations

State Controller's Office
Audit Unit
3301 C Street, Room 404
Sacramento, CA 95814

For local agencies, copies of purchase orders are not required.

10. TERMINATION

Any State or Local agency may terminate any order against this agreement upon 30 days notice provided the products or services have not already been accepted. This does not affect the termination clause of the WSCA Master Price Agreement concerning failure to perform or upon mutual consent.

11. DGS ADMINISTRATIVE FEE

There is no charge by the Department of General Services for the use of this contract.

12. LOCAL GOVERNMENT AGENCY REQUIREMENTS

- a. Local government agencies may make payments according to their statutory requirements.
- b. While the State of California makes this Agreement available to local government agencies, each local government agency should make its own determination whether using these contracts is consistent with its procurement policies and regulations.

WESTERN STATES CONTRACTING ALLIANCE (WSCA)
USER GUIDE

- c. Local government agencies may, in lieu of the State's Purchase Order Forms (Std. 65), use their own purchase order document as long as it provides the same information that is required on the Std. 65, as well as their own procurement card.